

### **REMARKS**

Applicant thanks the Examiner for the thorough consideration given the present application.

Claims 1-6 are now present in this application. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

### **Priority Under 35 U.S.C. § 119**

Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

### **Information Disclosure Citation**

The Examiner has not provided Applicant with an initialed copy of the PTO-1449 or PTO-SB08 form filed with the Information Disclosure Statement filed September 24, 2003. An initialed copy thereof is respectfully requested from the Examiner in the next Office Action.

### **Drawings**

Applicant thanks the Examiner for indicating that the drawings are acceptable..

### **Obviousness-Type Double Patenting Rejection**

Claim 1 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,440,108. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant is herewith submitting a Terminal Disclaimer disclaiming the terminal portion of any patent granted on the present application which would extend beyond the expiration of U.S. Patent No. 6,440,108. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

**Allowable Subject Matter**

The Examiner states that claims 2-6 are objected to because they are dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant thanks the Examiner for the early indication of allowable subject matter in this application. Applicant has attached a Terminal Disclaimer overcoming the rejection of the base claim. Therefore, Applicant has not rewritten claims 2-6 in independent form as this time, since they depend from independent claim 1 which is believed to be allowable.

**Additional Cited References**

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

**Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone James T. Eller, Jr., Registration No. 39,538, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Response is respectfully requested.

Application No. 10/601,579  
Amendment dated June 23, 2006  
Reply to Office Action of March 23, 2006

Docket No.: 4140-0110P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: June 23, 2006

Respectfully submitted,

By

  
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Attachment: Terminal Disclaimer